DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

Regulatory Division

MAY 0 1 2007

DEPARTMENT OF THE ARMY PERMIT

GENERAL PERMIT SAJ-20
SAJ-2006-6017 (SLS)

PRIVATE SINGLE-FAMILY DOCKS/PIERS IN FLORIDA

Upon recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), general authority is hereby given to construct private single-family docks in navigable waters of the United States within the State of Florida subject to the following conditions:

SPECIAL CONDITIONS:

1. Structures authorized under this general permit are private single-family docks/piers designed to accommodate not more than two vessels, including dry storage, unless a Florida Fish and Wildlife Conservation Commission approved Manatee Protection Plan is more restrictive. This would include normal appurtenances such as boat hoists, boat shelters with open sides, stairways, walkways, mooring pilings, dolphins, and maintenance of same.

2. No work shall be performed until the applicant submits satisfactory plans for the proposed structure and receives written authorization from the District Engineer.

3. The following areas are specifically excluded from authorization under SAJ-20:

a. Motorboat prohibited zones, no entry zones, and Federal Manatee Sanctuaries.

b. All areas regulated under the Lake Okeechobee and Okeechobee Waterway Shoreline Management Plan, located between St. Lucie Lock in Martin County and W.P. Franklin Lock in Lee County.

c. Monroe County

d. American Crocodile designated critical habitat, Biscayne Bay National Park Protection Zone (Dade County), St. Lucie Impoundment (Palm Beach County),

and areas identified in the Wild and Scenic Rivers Act (16 U.S.C. 1317, et seq.): the St. Mary's River, from its headwaters to its confluence with the Bells River, the entire Wekiva River, including Wekiwa Springs Run, Rock Springs Run, the entire Seminole Creek, and Black Water Creek from its outfall at Lake Norris to its confluence with the Wekiva River, the Loxahatchee River from Riverbend Park downstream to Jonathan Dickinson State Park.

e. The following state parks: John Pennekamp Coral Reef State Park, Lignum Vitae Key State Botanical Site and Aquatic Preserve, Long Key State Park, Curry Hammock State Park, and Bahia Honda State Park.

f. Canals in the Kings Bay/Crystal River/Homosassa/Salt River system (Citrus County); canals at Garfield Point including Queens Cove (St. Lucie County).

4. No structures shall be authorized by SAJ-20 within the boundaries of the Timucuan Ecological and Historical Preserve (Duval County) until the National Park Service has been contacted and offered the opportunity to submit comments to the Corps on the effects of the proposed project on the preserve.

5. Prior to verification of authorization, the dichotomous key titled "The Corps of Engineers, Jacksonville District, and the State of Florida Effect Determination Key for the Manatee in Florida, July 2005", (see http://www.saj.usace.army.mil/permit/Endangered_Species/end_species_index.htm) will be used to determine potential manatee impacts. Additionally, where the Corps and Service have elected to review multiple single-family dock facilities as a multi-slip facility, all such projects determined to be a "may affect" to the manatee, and some projects determined to be "may affect, not likely to adversely affect," will not be authorized until consultation on the project is concluded. *Note: The manatee key may be subject to revision at any time. It is our intention that the most recent version of this technical tool will be utilized during the evaluation of the permit application.*

6. For projects in waters accessible to manatees, the permittee will utilize the "Standard Manatee Conditions for In-Water Work, July 2005" (see http://www.saj.usace.army.mil/permit/Endangered_Species/end_species_index.htm) and/or requirements, as appropriate for the proposed activity. *Note: The manatee conditions may be subject to revision at any time. It is our intention that the most recent version of these conditions will be utilized during the evaluation of the permit application.*

7. For projects in waters accessible to sea turtles, Smalltooth sawfish, Gulf sturgeon, or Shortnose sturgeon, the permittee will utilize the "Sea Turtle and Smalltooth Sawfish Construction Conditions" (see http://www.saj.usace.army.mil/permit/Endangered_Species/end_species_index.htm) and/or requirements, as appropriate for the proposed activity. *Note: These conditions*

may be subject to revision at any time. It is our intention that the most recent version of these conditions will be utilized during the evaluation of the permit application.

8. With respect to nesting bald eagles, for projects whose construction activity is within 0 to 660 feet of an active or inactive bald eagle's nest (see state wildlife data base at www.wld.fwc.state.fl.us/eagle/eaglenests), the project manager should refer to the U.S. Fish and Wildlife Service's June 2006 Bald Eagle Clearance Letter (see www.fws.gov/northflorida)) for guidance and clearance. Activity within that distance and not in conformance with the conditions and recommendations of that letter will not be authorized until consultation on the project is concluded. *Note: The preceding should be considered an interim condition, after which, new rules may be promulgated. It is the Corps' intention that the most recently approved version of these conditions will be utilized during the evaluation of permit applications under this general permit.*

9. This permit has undergone consultation with U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) on the listed species and any designated critical habitat listed on Table 1 (attached). If the proposed activity "may affect" listed species or critical habitat additional Section 7 consultation will be initiated. Until consultation is concluded, the proposed activity cannot be authorized under SAJ-20.

10. No work shall be authorized by SAJ-20 which may affect hard or soft corals, including listed corals, estuarine emergent, marine emergent, and/or the following species of submerged aquatic vegetation: shoal grass (*Halodule wrightii*), paddle grass (*Halophila decipiens*), star grass (*Halophila engelmanni*), Johnson's seagrass (*Halophila johnsonii*), sago pondweed (*Potamogeton pectinatus*), clasping-leaved pondweed (*Potamogeton perfoliatus*), widgeon grass (*Ruppia maritime*), manatee grass (*Syringodium filiforme*), turtle grass (*Thalassia testudinum*), tapegrass (*Vallisneria Americana*), horned pondweed (*Zannichellia palustris*), and eel grass (*Zostera marina*). Indirect effects include secondary and cumulative effects. In addition, the project cannot have adverse effects on any other essential fish habitat.

11. Adverse impacts to aquatic vegetation from dock construction may be ameliorated by adherence to the attached joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat - U.S. Army Corps of Engineers/National Marine Fisheries Service - August 2001." (See http://www.saj.usace.army.mil/permit/Endangered_Species/end_species_index.htm) Dock construction everywhere in the State of Florida must comply with the above, and additionally, because of concerns about adverse impacts to Johnson's seagrass (*Halophila johnsonii*), dock construction in the lagoon (as well as canal) systems on Florida's east coast from Sebastian Inlet (Brevard County) south to and including central Biscayne Bay (Miami-Dade County) must also comply with the construction guidelines titled "**Key for Construction Conditions for Docks or Other Minor**

Structures Constructed in or Over Johnson's seagrass (*Halophila johnsonii*) National Marine Fisheries Service/U.S. Army Corps of Engineers - February 2002." (See http://www.saj.usace.army.mil/permit/Endangered_Species/end_species_index.htm) *Note: Both of the Construction Guidelines may be subject to revision at any time. It is our intention that the most recent version of this technical tool will be utilized during the evaluation of the permit application.*

12. For projects proposed adjacent to Federally-maintained channels, no structure, including mooring piles, authorized under this regional general permit shall be within the established setback. The setback is normally 100' in the various Intracoastal Waterways but may vary in a few specific reaches as well as in other Federal channels. Exact locations of the proposed structures relative to the channel may need to be verified by use of the Florida State Plane (x, y) Coordinate System, calculated from the near-bottom edge of the Federal channel. Any activity within Federal rights-of-way will require the permittee to enter into a consent-to-easement with the Real Estate Division, U.S. Army Corps of Engineers, Jacksonville or Mobile District, as appropriate, prior to the commencement of any construction activity.

13. For projects authorized under the SAJ-20 in navigable waters of the United States, the permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration. A structure authorized under this regional general permit must not interfere with general navigation.

14. No activity may cause more than a minimal adverse effect on navigation. Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

15. No structure or work shall adversely affect or disturb properties listed in the *National Register of Historic Places* or those eligible for inclusion in the National Register. Prior to the start of work, the permittee or other party on the permittee's behalf, shall conduct a search in the *National Register Information System* (NRIS). Information can be found at; http://www.cr.nps.gov/nr/research/nris.htm.

If unexpected cultural resources are encountered at any time within the project area that was not the subject of a previous cultural resource assessment survey, work should cease in the immediate vicinity of such discoveries. The permittee, or other party, should notify the SHPO immediately, as well as the appropriate Army Corps of

Engineers office. After such notifications, project activities should not resume without verbal and/or written authorization from the SHPO.

If unmarked human remains are encountered, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, *Florida Statutes,* unless on Federal lands. After such notifications, project activities on non-Federal lands shall not resume without verbal and/or written authorization from the Florida State Archaeologist for finds under his or her jurisdiction.

16. Turbidity controls measures may be required, and the work must be conducted so as to prevent violations of State Water Quality Standards as established in sections 62-4.242 and 62-4.244 of the Florida Administrative Code and Chapters 62-302, 62-520, 62-522, and 62-550 of the Florida Administrative Code.

17. Prior to the initiation of any construction, projects qualifying for this regional general permit must be authorized by the applicable permit required under Part IV of Chapter 373, F.S., by the Department of Environmental Protection, a water management district under s. 373.069, F.S., or a local government with delegated authority under s. 373.441, F.S., and receive Water Quality Certification (WQC) and applicable Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, as well as any authorizations required for the use of state-owned submerged lands under Chapter 253, F.S., and, as applicable, Chapter 258, F.S.

18. No work shall be performed until after the permittee provides notification to the owner(s) or operator(s) of any marked utilities in the area of the structure.

19. Conformance with the descriptions and criteria contained herein does not necessarily guarantee authorization under this regional general permit. The District Engineer reserves the right to require that any request for authorization under this regional general permit be processed as a standard permit.

20. This regional general permit will be valid for a period of five years from the date specified above unless suspended or revoked by the District Engineer prior to that date. If SAJ-20 expires or is revoked prior to completion of the authorized work, authorization of activities that have commenced or are under contract to commence in reliance on SAJ-20 will remain in effect provided the activity is completed within 12 months of the date SAJ-20 expired or was revoked.

21. The permittee shall perform all work in accordance with the general conditions for permits. The general conditions attached hereto are made a part of this permit.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

for Paul L. Grosskruger
Colonel, U.S. Army
District Engineer